

## Christopher B. Kaczmarek

Shareholder

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## Practice Areas

Wage and Hour  
Discrimination and Harassment  
Privacy and Data Security  
Class Action  
Handbooks and Policies  
Home Health and Home Care

## Overview

Christopher B. Kaczmarek represents employers of all sizes in matters involving a wide range of state and federal laws before state and federal administrative agencies and courts, including the New Hampshire Commission for Human Rights, the New Hampshire Department of Labor, and the Massachusetts Commission Against Discrimination. Chris regularly defends employers in litigation, including class actions, involving claims of:

- Alleged wage and hour violations
- Wrongful discharge
- Breach of contract
- Unlawful discrimination
- Harassment

He also defends and prosecutes cases involving claims of misappropriation of trade secrets and violations of non-competition and non-solicitation agreements. He has specific knowledge of the Fair Labor Standards Act, as well as state wage and hour laws. Additionally, Chris counsels employers on the steps necessary to minimize the chance of litigation. He provides advice to employers regarding:

- Individual employment decisions
- The creation and successful implementation of effective personnel policies

- Compensation practices
- Employment agreements

Chris has written for a variety of publications and regularly gives lectures, presentations, and training sessions regarding a variety of employment law topics, including the identification and prevention of discrimination and harassment in the workplace. He is a frequent editor of the firm's wage and hour-related publications. His clients include financial services companies, retailers, hospitals and health care providers.

Before joining Littler, Chris practiced labor and employment law at another firm. He also previously clerked for the Hon. Paul J. Barbadoro, U. S. District Court for the District of New Hampshire.

## Professional and Community Affiliations

- Member, American Bar Association
- Member, Boston Bar Association
- Member, New Hampshire Bar Association
- Former Chairman, Board of Directors, Housing Families Inc.

## Events & Speaking Engagements

### 2024 New England Regional Employer Conference

Boston, MA

October 24, 2024

### 2024 Massachusetts Employment Law Update

June 13, 2024

### 2023 New England Regional Employer Conference

Boston, MA

November 14, 2023

### Are You in Compliance? Making Sense of Recent Changes to Federal and Massachusetts Employment Law

June 15, 2023

### 2022 New England Regional Employer Conference

Boston, MA

November 15, 2022

### Employment Law Update: Navigating the New Normal

June 16, 2022

### 2021 New England Virtual Employer Conference

November 9, 2021

**New Year, New Problems - How To Deal with Recent Changes in Employment Law**

June 3, 2021

**COVID Vaccine Considerations for Massachusetts Employers**

February 24, 2021

**2020 Virtual New England Employer**

November 5, 2020

**Return to Work in Massachusetts – Managing the Next Phase of the Pandemic**

May 13, 2020

**Worst Case Scenarios - How to Deal With the Most Difficult Workplace Situations**

Boston, MA

April 9, 2020

**New England Update**

2019 New England Employer Conference, Newton, MA

September 27, 2019

**Massachusetts Paid Family Medical Leave: Updated Deadlines and Other Critical Information for Employers**

Boston, MA

July 22, 2019

**Paid Family and Medical Leave, Marijuana, and Other Hot Topics For Massachusetts Employers**

Boston, MA

April 11, 2019

**Navigating Uncharted Waters: The New Massachusetts Noncompetition Law**

September 17, 2018

**2018 Employment Law Update**

Boston, MA

June 8, 2018

**Pay Equity Compliance: How to Advise Your C-Suite and Safeguard Your Company**

Boston, MA

March 28, 2018

**2017 New England Employer Conference**

Boston, MA

October 27, 2017

## **Employment Law Update**

Boston, MA

April 4, 2017

## **Massachusetts Pay Equity: What You Need to Know**

September 30, 2016

## **Employment Law Update: Navigating a Changing Landscape**

Boston, MA

June 24, 2016

## **Cutting Edge Issues in Employment Law - Including Cat's Paw Liability**

18th Annual Employment Law Conference - Massachusetts Continuing Legal Education, Inc. (MCLE), Boston, MA

December 4, 2015

## **DOL's Proposed Changes to the White Collar Regulations: What Should Employers Do Now?**

Boston, MA

November 5, 2015

## **Employment Law: Navigating a Changing Landscape**

Boston, MA

June 5, 2015

## **Massachusetts Voters Said Yes To Paid Sick Leave... Now What?**

December 17, 2014

## **When to Settle, Waivers That Work, and Other Thorny Issues When Settling, Including the Medicare Secondary Payer Act**

17th Annual Employment Law Conference - Massachusetts Continuing Legal Education, Inc. (MCLE), Boston, MA

December 5, 2014

## **Plaintiff's and Defense Perspectives**

Litigating Employment Cases - New Hampshire Bar Association, Concord, NH

October 17, 2014

## **Employment Law: Trends, Threats and Tactics in 2014**

Boston, MA

May 21, 2014

## **Expanded FLSA Liability: Responding to the New Threat to CEOs, Directors and Joint Employers**

Strafford Information Solutions

March 12, 2014

### **Employment and Labor Law Survey**

34th Annual Labor and Employment Law Spring Conference - Massachusetts Bar Association, Boston, MA  
June 5, 2013

### **Employment and Human Resource Issues**

Administrative and Legal Issues Seminar - American Association of Port Authorities, Boston, MA  
April 9, 2013

### **2013 Employment Law Update**

Boston, MA  
February 27, 2013

### **The Next Wave: Wage & Hour Class Actions in Massachusetts**

Boston, MA  
June 2, 2009

## **Recognition**

- Named, The Best Lawyers in America® , 2019-2025
- Order of the Coif

## **Education**

J.D., Boston College Law School, 2000, *magna cum laude*  
B.A., Syracuse University, 1993, *cum laude*

## **Bar Admissions**

Massachusetts  
New Hampshire

## **Courts**

U.S. Supreme Court  
U.S. Court of Appeals, 1st Circuit  
U.S. District Court, District of Massachusetts  
U.S. District Court, District of New Hampshire  
U.S. District Court, District of Vermont

## **Publications & Press**

### **Massachusetts Gets Transparent: FAQs Clarify the Commonwealth's Pay Transparency Law**

*Littler ASAP*  
January 16, 2025

**Massachusetts High Court Expands Employer Liability for Late Payment of Wages**

*Littler ASAP*

April 7, 2022

**Massachusetts High Court Adopts Federal Standard for Joint Employer Liability Under State Wage and Hour Law**

*Littler ASAP*

December 23, 2021

**Best Lawyers in America© 2022 Edition Honors More Than 240 Littler Lawyers**

*Press Release*

August 19, 2021

**Best Lawyers in America© 2021 Edition Honors More Than 250 Littler Lawyers**

*Press Release*

August 20, 2020

**Massachusetts Designates Juneteenth as a State Holiday**

*External Publication*

August 5, 2020

**Massachusetts Designates Juneteenth as a State Holiday, Creating a New Obligation for Many Retail Employers**

*Littler ASAP*

July 31, 2020

**Massachusetts Releases Four-Phase Reopening Plan**

*Littler ASAP*

May 19, 2020

**Massachusetts Court Provides Guidance on Joint Employer Liability and the Scope of the Outside Salesperson Exemption**

*Littler ASAP*

April 10, 2020

**Best Lawyers in America© 2020 Edition Honors More Than 200 Littler Lawyers; 14 Named Lawyer of the Year**

*Press Release*

August 15, 2019

**New Deadlines For Massachusetts Employers Under the Paid Family Medical Leave Program**

*Littler ASAP*

June 14, 2019

**Massachusetts Extends Critical Compliance Deadlines Under the Paid Family Medical Leave Law**

*Littler ASAP*

May 2, 2019

**Massachusetts High Court Finds That Employees Who Are Exempt From Overtime Under Federal Law Are Not Necessarily Exempt Under State Law**

*Littler ASAP*

March 18, 2019

**Massachusetts Releases Proposed Family Leave Regulations**

*External Publication*

February 6, 2019

**Massachusetts Department of Family and Medical Leave Releases Proposed Regulations**

*Littler ASAP*

January 25, 2019

**Under WARN, and Beyond? Massachusetts High Court Holds That Failure To Pay A “Back Pay” Award Does Not Give Rise To Wage Act Liability**

*Littler ASAP*

January 3, 2019

**Frequently Asked Questions About the New Massachusetts Noncompetition Agreement Act**

*Littler ASAP*

September 5, 2018

**Court Rules Federal Railway Unemployment Insurance Act Completely Preempts Massachusetts Sick Leave Law**

*Littler ASAP*

August 15, 2018

**Best Lawyers in America© 2019 Edition Honors More Than 200 Littler Lawyers**

*Press Release*

August 15, 2018

**Massachusetts Increases Minimum Wage, Eliminates Premium Pay For Sunday Work, And Enacts New Paid Leave Program**

*Littler ASAP*

June 29, 2018

**Reminder: Massachusetts Pregnant Workers Fairness Act Goes into Effect April 1, 2018**

*Littler ASAP*

February 8, 2018

**Massachusetts High Court Rules That Sick Pay Does Not Constitute Wages Under State Law**

*Littler ASAP*

January 31, 2018

**Massachusetts High Court Rules that Investors and Board Members are not Personally Liable for Unpaid Wages Under State Law**

*Littler ASAP*

January 10, 2018

**Massachusetts Expands Employers' Obligation to Accommodate Pregnant Employees**

*Littler ASAP*

July 27, 2017

**Massachusetts Supreme Judicial Court Creates Employer Obligation to Accommodate Employees Using Medical Marijuana**

*Littler ASAP*

July 19, 2017

**A Retailer's Failure to Pay Time And A Half for Work Performed on Sundays And Holidays May Violate Massachusetts' Payment of Wages Law**

*Littler ASAP*

April 24, 2017

**New Mass. Pay Equity Law Prohibits Salary-History Questions**

*In the News*

August 5, 2016

**Non-Competes to Stay in Massachusetts...For Now**

*Littler ASAP*

August 1, 2016

**Massachusetts Adds Teeth to Equal Pay Obligations**

*Littler ASAP*

July 28, 2016

**Massachusetts Earned Sick Time Safe Harbor is Drawing to an End: Are Your Policies Compliant?**

*Littler ASAP*

December 2, 2015

**Executive Order: Federal Contractors Must Provide Paid Sick Leave**

*In the News*

October 28, 2015



**Executive Order Requires Federal Contractors to Provide Paid Sick Leave**

*Littler ASAP*

September 22, 2015

**Obama Sick Leave Order Ups the Odds of Coverage for All**

*In the News*

September 11, 2015

**Paid Sick Leave for Federal Contractors Puts Firms In Regulatory Bind**

*In the News*

September 8, 2015

**Federal Judge Holds FAAAA Preempts a Critical Portion of the Massachusetts Independent Contractor Law**

*Littler ASAP*

July 13, 2015

**Massachusetts Attorney General Issues Final Sick Leave Regulations**

*Littler ASAP*

June 25, 2015

**Massachusetts Attorney General Issues Required Notice of Employee Rights and Clarifies the "Safe Harbor" Exemption**

*Littler ASAP*

June 11, 2015

**Massachusetts High Court Rules Real Estate Agents Not Subject to State's Stringent Independent Contractor Law**

*Littler ASAP*

June 4, 2015

**Massachusetts Attorney General Creates a "Safe Harbor" From the Requirements of the Massachusetts Sick Leave Law**

*Littler ASAP*

May 26, 2015

**Proposed Regulations Shed Light on Unanswered Massachusetts Sick Leave Questions**

*Littler ASAP*

May 12, 2015

**Massachusetts Extends Labor and Employment Protections to Domestic Workers**

*Littler ASAP*

December 30, 2014

**Paid Sick Leave Spreads to New Jurisdictions**

*In the News*

November 14, 2014

**Voter-approved sick leave law raises many questions for new AG**

*In the News*

November 13, 2014

**Massachusetts Voters Approve Paid Sick Leave Law**

*Littler ASAP*

November 7, 2014

**Massachusetts' New Sick-Leave Law Presents Challenges for Employers**

*In the News*

November 6, 2014

**Paid Sick Time Initiative's Effect on Business**

*In the News*

November 5, 2014

**Review Closure-Related Pay Requirements to Avoid Penalties**

*In the News*

January 22, 2014

**Federal Court Potentially Loosens Rules for Arbitrating Wage Claims in Massachusetts**

*Littler ASAP*

December 13, 2013

**FLSA decision puts C-suite executives on guard**

*In the News*

August 30, 2013

**First Circuit Federal District Court Holds Automatic Meal Break Deduction Policy Does Not Satisfy Commonality Requirement for Class Certification**

*Littler ASAP*

July 23, 2013

**Second Circuit Finds CEO Individually Liable for FLSA Violations**

*Littler ASAP*

July 15, 2013

**Massachusetts Independent Contractor Law May Apply to Workers Outside Massachusetts**

*Littler ASAP*

June 14, 2013

**Recent Decisions Provide Guidance on Drafting Noncompetition Agreements under Massachusetts Law**

*Littler ASAP*

June 12, 2013

**Labor & Employment Law: Unpaid Internships Pose Risks for Employers**

*New Hampshire Bar Association*

April 19, 2013

**Massachusetts High Court Rules that Discretionary Payments Do Not Extinguish Wage Claims**

*Littler ASAP*

March 11, 2013

**Massachusetts High Court Permits Employees to Release Wage Claims**

*Littler ASAP*

January 3, 2013

**Massachusetts High Court Holds Wage Claim Releases Are Valid and that Overtime Can Be Recovered Under Wage Payment Law**

*Littler ASAP*

January 3, 2013

**Massachusetts Enacts Burdensome New Standards for Staffing Companies**

*Littler ASAP*

August 13, 2012

**Internship Programs Present Potential Wage and Hour Risks for Employers**

*Littler ASAP*

April 19, 2012

**Massachusetts Employers Face New Obligations When Conducting Background Checks Involving Criminal History Records**

*Littler ASAP*

March 9, 2012

**Massachusetts Court Permits No-Tipping Policy**

*Littler ASAP*

February 28, 2012

**First Circuit Holds that Banquet Sales Managers Qualify for the Administrative Exemption**

*Littler ASAP*

December 8, 2011

**Massachusetts Passes Legislation Protecting Transgender Employees in the Workplace**

*Littler ASAP*

November 29, 2011

**Federal Judge in Massachusetts Rejects the Klinghoffer Rule**

*Littler ASAP*

September 30, 2011

**Massachusetts High Court Rules Wage Act's Mandatory Treble Damages Provision Does Not Apply Retroactively**

*Littler ASAP*

September 2, 2011

**New Hampshire Amends Wage and Hour Laws to Permit Greater Deductions and to Adopt the Federal Minimum Wage**

*Littler ASAP*

August 12, 2011

**Reporting Time Pay: A Wage and Hour Winter Wonderland**

*Littler ASAP*

January 10, 2011

**Reporting Time Pay: A Wage & Hour Winter Wonderland**

*Littler ASAP*

January 6, 2011

**Alaska Provides Employers with Form for Reporting Nurses' Overtime**

*Littler ASAP*

November 12, 2010

**Alaska Provides Employers with Form for Reporting Nurses' Overtime**

*Littler ASAP*

November 11, 2010

**New Hampshire Amends Law to Permit Certain Deductions from Wages**

*Littler ASAP*

August 3, 2010

**U.S. Department of Transportation Proposes Exemption for Drivers Transporting Ammonia**

*Littler ASAP*

July 16, 2010

**Massachusetts Overtime Law May Apply to Employees Who Work Outside the State**

*Littler ASAP*

June 28, 2010

**U.S. DOL Intends to Revise FLSA Recordkeeping Requirements**

*Littler ASAP*

December 21, 2009

**Massachusetts Court Ruling Expands the Scope of Damages Available to Employees Misclassified as Independent Contractors**

*Littler ASAP*

September 7, 2009

**Massachusetts Court Ruling Expands the Scope of Damages Available to Employees Misclassified as Independent Contractors**

*Littler ASAP*

September 3, 2009

**New Massachusetts Decision Finds that General Arbitration Provisions Do Not Cover Discrimination Claims**

*Littler ASAP*

August 19, 2009

**Indiana Adopts New Minimum Wage Poster Requirements**

*Littler ASAP*

May 7, 2009

**Littler Mendelson Announces Twenty-Seven Newly Elevated Shareholders**

*Press Release*

January 8, 2009

**Littler Boston Expands Again with Addition of Three Accomplished Employment Attorneys**

*Press Release*

November 11, 2005

**Massachusetts Courts Permit No Tipping Policy and Limit the Scope of the Restaurant Exemption**

*Littler ASAP*